

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Elena Del Campo, et al.

NO. C 01-21151 JW

Plaintiffs,

**ORDER GRANTING WITHDRAWAL OF  
MCGUIREWOODS LLP**

v.

American Corrective Counseling Serv., et  
al.,

Defendants.

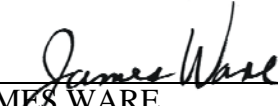
Presently before the Court is McGuireWoods LLP's ("McGuireWoods") Request for an Order Permitting Withdrawal of McGuireWoods LLP. (hereafter, "Request," Docket Item No. 763.) McGuireWoods is counsel for Defendant American Corrective Counseling Services, Inc. ("ACCS"). On January 20, 2009, ACCS filed a Notice of Bankruptcy and Automatic Stay, informing the Court that it filed bankruptcy in a Delaware Bankruptcy Court. (See Docket Item No. 724.) McGuireWoods seeks permission to withdraw as counsel for ACCS in this action.

In a civil case, counsel may not withdraw from an action until relieved by order of the Court. See Civ. L. R. 11-5. Rule 3-700(C) of the California Rules of Professional Conduct provides that a lawyer may withdraw from representing a client where, among other things, (1) the client breaches an agreement with or obligation to the lawyer as to expenses or fees, or (2) other conduct renders it unreasonably difficult for the lawyer to carry out the employment effectively. Rule 3-700(C)(1)(d), (f). This is because the attorney-client relationship in civil cases is usually an economic relationship.

1 Here, McGuireWoods represents that it was direct by ACCS to discontinue all services as of  
2 January 19, 2009. (Request at 2.) Indeed, McGuireWoods represents that it is a “substantial  
3 creditor” of Defendant ACCS. As such, the Court finds there is an adequate basis under Rule 3-  
4 700(C)(1)(d) for allowing McGuireWoods to withdraw.

5 Accordingly, the Court GRANTS McGuireWoods’ Request to Withdraw. McGuireWoods  
6 shall remain as counsel of record for thirty (30) days for the purposes of receiving and providing  
7 legal documents until there is an identification of substitute counsel. On or before **July 6, 2009**,  
8 Defendants shall file a Notice of Identification of Substitute Counsel. Counsel shall send a copy of  
9 this Order to Defendants and file the necessary certificate of service.

10  
11 Dated: June 5, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: June 5, 2009**

**Richard W. Wieking, Clerk**

By: /s/ JW Chambers  
**Elizabeth Garcia**  
**Courtroom Deputy**